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\*Admitted only in Maryland  
\*Admitted only in Virginia  
\*Practice Limited to  
Federal Agencies

May 3, 2005

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Attn: Office of Patent  
Examination's Filing  
Receipt Corrections**

Re: U.S. Utility Patent Application  
Appl. No. 10/686,713; Filed: October 17, 2003  
For: **Molecular Detection Systems Utilizing Reiterative Oligonucleotide  
Synthesis**  
Inventor: Michelle M. Hanna  
Our Ref: 2072.0010006/MAC/SJE

Sir:

Transmitted herewith for appropriate action are the following documents:

1. A copy of Response to Request for Corrected Filing Receipt;
2. Third Request for Corrected Official Filing Receipt;
3. A photocopy of the Official Filing Receipt with corrections noted in red;
4. A copy of the Power of Attorney filed in parent Application No. 09/984,664;
5. A copy of the Certificate Under 37 C.F.R. § 3.73(b) with copy of Assignment filed in parent Application No. 09/984,664 (not for recordation); and
6. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
May 3, 2005  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,  
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michele A. Cimbala  
Attorney for Applicant  
Registration No. 33,851

MAC/SJE/lam  
Enclosures

393495.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michelle M. Hanna

Appl. No.: 10/686,713

Filed: October 17, 2003

For: **Molecular Detection Systems Utilizing  
Reiterative Oligonucleotide Synthesis**

Confirmation No.: 9587

Art Unit: 1637

Examiner: Young J. Kim

Atty. Docket: 2072.0010006/MAC/SJE

**Third Request for Corrected Official Filing Receipt**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

*Attn: Office of Initial Patent  
Examination's Filing  
Receipt Corrections*

Sir:

Applicant hereby requests that a corrected Official Filing Receipt be issued and sent to the undersigned representative. Specifically, the following corrections to the Official Filing Receipt are requested:

**Please delete the entire Power of Attorney section.**

Submitted herewith in support of the above request are copies of the Official Filing Receipt with the corrections noted in red; and the Power of Attorney, the Certificate Under 37 C.F.R. § 3.73(b) and the Assignment filed in parent Application No. 09/984,664.

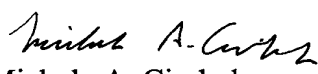
The copy of the accompanying Power of Attorney has been updated to refer only to Customer Number 28393, in accordance with the recent change in USPTO rules. The listing of the names of the attorneys has been lined-through.

The Power of Attorney filed in parent Application No. 09/984,664 confers to attorneys associated with Customer Number 28393 the power to prosecute the patent application and any continuation, divisional, continuation-in-part and reissue applications thereof. Since the present application is a continuation of Application No. 09/984,664, the power to prosecute this application has been conferred to attorneys

associated with customer number 28393, and not to Mary Beth Tung, Reg. No. 50,007. Mary Beth Tung is neither listed on the Power of Attorney nor is associated with Customer Number 28393. Accordingly, Mary Beth Tung cannot be properly listed as having a Power of Attorney to prosecute this application. Deletion of the Power of Attorney Section on the present Official Filing Receipt is therefore proper.

It is requested that a corrected Official Filing Receipt be issued, and sent to the undersigned at the earliest possible time.

Respectfully submitted,  
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
Michele A. Cimbala  
Attorney for Applicant  
Registration No. 33,851

Date: May 3, 2005  
1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/686,713	10/17/2003	Michelle M. Hanna	2072.0010006

26111  
STERNE, KESSELER, GOLDSTEIN & FOX PLLC  
1100 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

CONFIRMATION NO. 9587



\*OC000000015707758\*

Date Mailed: 04/11/2005

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Power of Attorney

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

☐ The person or people whom you would like to add was not listed in the Power of Attorney that was entered into the application (to add one or more patent practitioners a new power of attorney is required), or the registration number was omitted from the Power of Attorney (the name and registration number are required for a patent practitioner to be made of record).

☐ The Power of Attorney you provided did not comply with the new Power of Attorney rules that became effective on June 25, 2004. See 37 CFR 1.32.

☒ The Power of Attorney you provided did not designate the Customer Number to be used for the Power of Attorney. If you would like the Power of Attorney to be associated with the practitioners associated with the Customer Number, a new Power of Attorney must be provided revoking the Power of Attorney that has been established and clearly requesting that the practitioners associated with the Customer Number be used for the Power of Attorney. Note the format of the PTO/SB/081 and PTO/SB/082, which are available on the USPTO Internet web site ([www.uspto.gov](http://www.uspto.gov)).

☐ The spelling of attorneys' names shown on the filing receipt must be corrected by contacting the Office of Enrollment and Discipline, (703) 306-4097.

☐ The filing receipt will only show up to 10 attorneys for the Power of Attorney, with the attorneys or agents with the lowest registration numbers being listed. If Power of Attorney was established before June 25, 2004 and more than 10 attorneys were appointed, the filing receipt will only show the 10 attorneys or agents with the lowest registration numbers, but all of the attorneys or agents on the Power of Attorney will be reflected in the Office's computer records and have been made of record. If 10 or fewer attorneys were appointed, all will be shown.

☐ Only one Customer Number can be designated for the Power of Attorney in an application.

☐ The Customer Number that was captured is the first Customer Number provided on the Power of Attorney document.

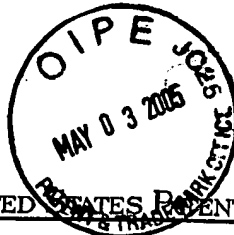
☐ The attorney requested is not available in the database. Please contact the Office of Enrollment and Discipline at (703) 306-4097 for more information.

☐ The attorney name that you are requesting does not match what was listed on your Power of Attorney. The registration number is the information that is captured from the Power of Attorney. To make this correction, you will need to revoke POA to the incorrect attorney and properly appoint the correct attorney.



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Customer Service Center  
Office of Initial Patent Examination  
(703) 308-1202



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/686,713	10/17/2003	1637	385	2072.0010006	31	12	1

26111  
STERNE, KESSLER, GOLDSTEIN & FOX PLLC  
1100 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

CONFIRMATION NO. 9587

CORRECTED FILING RECEIPT



\*OC000000015493313\*

Date Mailed: 03/17/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Michelle M. Hanna, Phoenix, AZ;

## Assignment For Published Patent Application

Ribomed Biotechnologies, Inc.

~~Power of Attorney:~~~~Mary Beth Tung - 50007~~

## Domestic Priority data as claimed by applicant

This application is a CON of 09/984,664 10/30/2001

## Foreign Applications

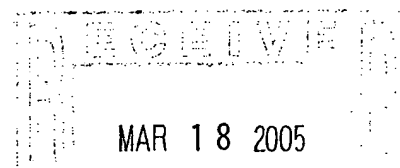
If Required, Foreign Filing License Granted: 05/28/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/686,713**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No



AND  
LBB yjt fmlrb 3/24/05  
SJE  
/K 3/22/05

**\*\* SMALL ENTITY \*\*****Title**

Molecular detection systems utilizing reiterative oligonucleotide synthesis

**Preliminary Class**

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).





# POWER OF ATTORNEY FROM ASSIGNEE

Designer Genes, Inc., a corporation of Arizona, having a principal place of business at 4301 N. 32nd Street, Suite A, Phoenix, AZ 85018, is assignee of the entire right, title and interest for the United States of America (as defined in 35 U.S.C. § 100), by reason of an Assignment to the Assignee executed on 12/19/01 of an invention known as Molecular Detection Systems Utilizing Reiterative Oligonucleotide Synthesis (Attorney Docket No. 2072.0010000/MAC/LBB), which is disclosed and claimed in a patent application of the same title by the inventor Michelle M. HANNA (said application filed on October 30, 2001 at the U.S. Patent and Trademark Office, having Application Number 09/984,664).

MAC Reg No 33851

The Assignee hereby appoint the U.S. attorneys associated with **CUSTOMER NUMBER 28393** to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith, ~~such attorneys currently being: Robert Greene Sterne, Esq., Reg. No. 28,912; Edward J. Kessler, Esq., Reg. No. 25,688; Jorge A. Goldstein, Esq., Reg. No. 29,021; David K.S. Cornwell, Esq., Reg. No. 31,944; Robert W. Esmond, Esq., Reg. No. 32,893; Tracy Gene G. Durkin, Esq., Reg. No. 32,831; Michele A. Cimbalà, Esq., Reg. No. 33,851; Michael B. Ray, Esq., Reg. No. 33,997; Robert E. Sokohl, Esq., Reg. No. 36,013; Eric K. Steffe, Esq., Reg. No. 36,688; Michael Q. Lee, Esq., Reg. No. 35,239; Steven R. Ludwig, Esq., Reg. No. 36,203; John M. Covert, Esq., Reg. No. 38,759; and Linda E. Alcorn, Esq., Reg. No. 39,588.~~ The Assignee hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

MAC Reg No 33851 May 3, 2005

Send correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934  
U.S.A.

Direct phone calls to 202-371-2600.

FOR: Designer Genes, Inc.

SIGNATURE:

Michelle M. Hanna

BY:

Michelle M. Hanna

TITLE:

President + CEO

DATE:

Dec. 19, 2001

## Certificate Under 37 C.F.R. § 3.73(b)

Applicant/Patent Owner: Michelle M. HANNA

Application No.: 09/984,664

Filed/Issue Date: October 30, 2001

Entitled: Molecular Detection Systems Utilizing Reiterative Oligonucleotide Synthesis

Designer Genes, Inc.

(Name of Assignee)

, a corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest, or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel To be recorded, Frame To be recorded, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: Dec. 19, 2001

Name: Michelle M. Hanna

Title: President + CEO

Signature: Michelle M. Hanna

ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned inventor: Michelle M. HANNA, the undersigned inventor hereby sells and assigns to Designer Genes, Inc. (the Assignee) his/her entire right, title and interest, including the right to sue for past infringement and to collect for all past, present and future damages:

check applicable box(es) ☒ for the United States of America (as defined in 35 U.S.C. § 100),  
☒ and throughout the world,

(a) in the invention known as Molecular Detection Systems Utilizing Reiterative Oligonucleotide Synthesis for which application for patent in the United States of America has been executed by the undersigned on 12/19/01 (also known as United States Application No. 09/984,664, filed October 30, 2001), in any and all applications thereon, in any and all Letters Patent therefor, and

(b) in any and all applications that claim the benefit of the patent application listed above in part (a), including continuing applications, reissues, extensions, renewals and reexaminations of the patent application or Letters Patent therefor listed above in part (a), to the full extent of the term or terms for which Letters Patents issue, and

(c) in any and all inventions described in the patent application listed above in part (a), and in any and all forms of intellectual and industrial property protection derivable from such patent application, and that are derivable from any and all continuing applications, reissues, extensions, renewals and reexaminations of such patent application, including, without limitation, patents, applications, utility models, inventor's certificates, and designs together with the right to file applications therefor; and including the right to claim the same priority rights from any previously filed applications under the International Agreement for the Protection of Industrial Property, or any other international agreement, or the domestic laws of the country in which any such application is filed, as may be applicable;

all such rights, title and interest to be held and enjoyed by the above-named Assignee, its successors, legal representatives and assigns to the same extent as all such rights, title and interest would have been held and enjoyed by the Assignor had this assignment and sale not been made.

The undersigned inventor(s) agree(s) to execute all papers necessary in connection with the application(s) and any continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such application(s) as the Assignee may deem necessary or expedient.

The undersigned inventor(s) agree(s) to execute all papers necessary in connection with any interference or patent enforcement action (judicial or otherwise) related to the application(s) or any continuing (continuation, divisional, or continuation-in-part), reissue or reexamination application(s) thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference or patent enforcement action.

The undersigned inventor(s) hereby represent(s) that he/she has full right to convey the entire interest herein assigned, and that he/she has not executed, and will not execute, any agreement in conflict therewith.

The undersigned inventor(s) hereby grant(s) Robert Greene Sterne, Esquire, Registration No. 28,912; Edward J. Kessler, Esquire, Registration No. 25,688; Jorge A. Goldstein, Esquire, Registration No. 29,021; David K.S. Cornwell, Esquire, Registration No. 31,944; Robert W. Esmond, Esquire, Registration No. 32,893; Tracy-Gene G. Durkin, Esquire, Registration No. 32,831; Michele A. Cimbala, Esquire, Registration No. 33,851; Michael B. Ray, Esquire, Registration No. 33,997; Robert E. Sokohl, Esquire, Registration No. 36,013; Eric K. Steffe, Esquire, Registration No. 36,688; Michael Q. Lee, Esquire, Registration No. 35,239; Steven R. Ludwig, Esquire,

Registration No. 36,203; John M. Covert, Esquire, Registration No. 38,759; and Linda E. Alcorn, Esquire, Registration No. 39,588; all of STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C., 1100 New York Avenue, N.W., Suite 600, Washington, D.C. 20005-3934, power to insert in this assignment any further identification that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, executed by the undersigned inventor on the date opposite his/her name.

Date: 12/19/01

Signature of Inventor: \_\_\_\_\_

Michelle M. Hanna  
Michelle M. HANNA